

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13709 of the Center for Applied Research in the Apostolate (CARA), pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.42 to continue to use all floors of the subject premises for research, teaching and seminar facilities in the R-1-B District at the premises 1212 Otis Street, N.E., (Square 3926, Lot 821).

HEARING DATE: March 17, 1982

DECISION DATE: March 17, 1982 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is on the north side of Otis Street between Twelfth and Thirteenth Streets, N.E. and is known as 1212 Otis Street, N.E. It is in an R-1-B District.

2. The subject site is 93,241 square feet in area and is improved with a three-story brick building. The building, originally constructed as a seminary, has a total gross floor area of 29,000 square feet and consists of thirty-three individual sleeping rooms, four two-room suites, eleven offices, a chapel, two lounge areas, and a dining room with kitchen facilities. The building can accommodate fifty overnight guests.

3. At the northeast side of the building is a parking lot which can accommodate fifteen vehicles. Additional parking for this site can be provided since there is adequate room on the site for expansion and the applicant is planning to resurface the lot in the near future. The property is substantially elevated and surrounded by detached dwellings on three sides. The remaining western side abuts a strip commercial zone running along Twelfth Street, N.E. Facing Oakview Terrace are six detached residences and a fenced-in basketball court owned by the applicant.

4. The only vehicular access to the subject property is by way of Oakview Terrace around a circular driveway. The Brookland Metro Station is located at 10th and Monroe Streets, approximately four blocks southwest of the site.

5. The applicant, the Center for Applied Research in the Apostolate (CARA), is a national Catholic research and planning organization. CARA provides consultant services,

research, publications, and training to members of all churches. The organization's goals are to apply modern techniques and resources to the objectives of religious institutions. The applicant has indicated that CARA draws its clientele from across the nation and that most participants in the program come to the seminars by other than private automobile.

6. The applicant conducts three to five day seminars on the site approximately ten times a year for professional religious workers from throughout the United States. The maximum enrollment for these seminars is fifty adult students, served by a thirteen to twenty member staff. Except for one free afternoon, participants spend their entire stay on the premises, have their meals served on the premises and reside in the dormitory rooms provided.

7. At the public hearing, the applicant requested that the maximum permitted number of staff be increased from fifteen to twenty full and/or part time staff members. The applicant presently provides fifteen off-street parking spaces on the site. The requested increase in the number of staff raises the number of required parking spaces to seventeen. The applicant testified that there is space on the site, to provide additional parking. Considering the nature of CARA's operation, the number of parking spaces appears adequate to serve the students, teachers and visitors who are likely to come to the site by automobile.

8. CARA draws its participants from across the nation. It is unlikely that a substantial number would come to the site by private automobile thereby increasing automobile congestion in the surrounding neighborhood.

9. The Board approved a special exception for this use in BZA Order No. 12773, dated January 17, 1979, subject to the following conditions:

- a. Approval shall be for a period of three years and may be renewed at the discretion of the Board upon the filing of a property application.
- b. No permanent use other than CARA's research, seminars and training programs shall be conducted on the premises.
- c. Buses serving CARA's programs shall be restricted from travelling along Oakview Terrace.
- d. The maximum enrollment shall be restricted to fifty participants and fifteen staff employees.

10. The Board finds that the ten seminars a year conducted by CARA for fifty mature, adult students who remain on the premises for most of their stay does not tend to generate objectionable impacts to the adjoining neighborhood because of noise or traffic.

11. The applicant testified that there has been only one complaint since CARA began operation at this site which concerned an overgrowth of foliage along the property line. This problem has been corrected.

12. The Office of Planning and Development, in its report dated March 12, 1982, recommended that the application be approved with the same conditions as in the previous order except that the time limit be at least five years.

13. Advisory Neighborhood Commission 5A, by letter dated March 11, 1982, supported the continued use of the subject premises for research, teaching and seminar facilities at the subject site. The Board concurs in the ANC recommendation.

14. There was no opposition to the application at the public hearing or in the record.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception, the granting of which requires substantial evidence that the applicant has complied with the requirements of Paragraph 3101.42 and Sub-section 8207.2 of the Zoning Regulations. The Board concludes that the proposed use complies with the requirements of Paragraph 3101.42 of the Zoning Regulations in that its location and its program is not likely to become objectionable to adjoining and nearby property because of noise, traffic, number of students, or otherwise objectionable conditions and that the site has ample space for parking to accommodate the students, teachers and visitors likely to come to the site by automobile. The Board further concludes that based on Findings Nos. 7, 10 and 11 the special exception can be granted as being in harmony with the general purpose and intent of the Zoning Regulations and Map and it will not affect adversely the use of neighboring property. Accordingly, it is ORDERED that the application is GRANTED subject to the following CONDITIONS:


- a. Approval shall be for a period of FIVE YEARS from the date of expiration of the previous Certificate of Occupancy.

- b. No permanent use other than CARA's research, seminars and training programs shall be conducted on the premises.
- c. Buses serving CARA's programs shall be restricted from travelling along Oakview Terrace.
- d. The maximum enrollment shall be restricted to fifty participants and twenty full and/or part time staff employees.

VOTE: 5-0 (Walter B. Lewis, Douglas J. Patton, Connie Fortune, William F. McIntosh, and Charles R. Norris to grant with conditions).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: APR 13 1982

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS, "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS AND INSPECTIONS.